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PTO/SB/21 (08-03)

12-27-05
AF

3721/4
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Application Number

09/997,449

Filing Date

November 30, 2001

First Named Inventor

Shamim M. Malik

Group Art Unit

3731

Examiner Name

Uyen T. Ho

Attorney Docket Number

50623.134

ENCLOSURES (check all that apply)

- ☒ Deposit Account 07-1850 Authorization
- ☒ Postage Paid Return Postcard
- ☒ Amendment and Response to Office Action (10 pages)
- ☒ Amendment Transmittal Letter (1 page) (in duplicate)
- ☐ Affidavits/declaration(s)
- ☐ Petition for Extension of Time (___ months) (in duplicate)
- ☐ Information Disclosure Statement (in duplicate) with Form PTO-1449 and ___ References
- ☒ Express Mail Label No. EV 763 797 903 US
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
 - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s) In/Formal ___ Sheets with Submission of Drawings Transmittal
- ☐ Issue Fee Transmittal with PTO-85b (in duplicate)
- ☐ Request for Continued Examination Transmittal (RCE)
- ☐ Fee Transmittal Form (in duplicate)
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Request for Status of Application
- ☐ Other Enclosure(s) (please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Squire, Sanders & Dempsey L.L.P.
Cameron K. Kerrigan, Reg. No. 44,826

Signature

Date *

December 23, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below

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Rebecca M. Klits

Signature

Date

December 23, 2005

**AMENDMENT TRANSMITTAL LETTER** (Large Entity)

Docket No.

50623.134

Applicant(s): Shamim M. Malik et al.

Serial No.

09/997,449

Filing Date

November 30, 2001

Examiner

Uyen T. Ho

Group Art Unit

3731

Invention:

A Modified Implantable Device Surface And A Method Of Making The Same

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

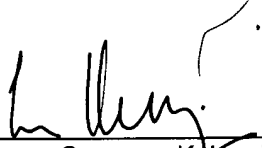
The fee has been calculated and is transmitted as show below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	31	30	1	X \$50.00	\$50.00
INDEP. CLAIMS	3	3	0	X \$200.00	\$00.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$00.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$50.00

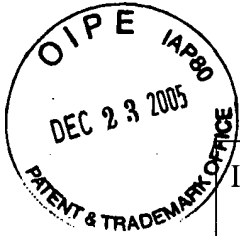
- ☐ No additional fee is required for amendment.
- ☒ Please charge Deposit Account No. **07-1850** in the amount of **\$50.00**
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any necessary fees associated with this communication or credit any overpayment to Deposit Account No. **07-1850**
A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 C.F.R. 1.17.

Dated: December 23, 2005
 Squire, Sanders & Dempsey L.L.P.
 1 Maritime Plaza, Suite 300
 San Francisco, CA 94111
 (415) 954-0200


 Cameron K. Kerrigan
 Reg. No. 44,826

cc: Docket:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:	Examiner:
Shamim M. Malik, et al.	Uyen T. Ho
Serial No. 09/997,449	Art Unit: 3731
Filed: November 30, 2001	
Title: A Modified Implantable Device Surface And A Method Of Making The Same	

Box AF
Commissioner for Patents
USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Examiner Ho:

This responds to the Office Action dated November 1, 2005.

Claim amendments begin at page 2.

Remarks begin at page 9.

12/30/2005 DTESSEM1 00000051 071850 09997449

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